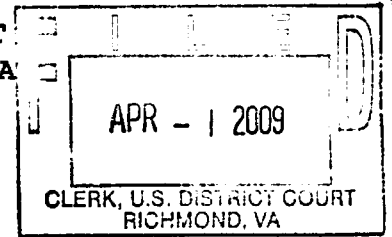


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



DANITA LAWSON,
Plaintiff,

v.

Civil Action No. 3:09CV11

A.J. STEVENSON,
Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on January 14, 2009, the Court conditionally docketed Plaintiff's action. At that time, the Court directed Plaintiff to submit a statement under oath or penalty of perjury that:

- (A) Identifies the nature of the action;
- (B) States her belief that she is entitled to relief;
- (C) Avers that she is unable to prepay fees or give security therefor; and,
- (D) Includes a statement of the assets she possesses.

See 28 U.S.C. § 1915(a)(1). The Court provided Plaintiff with an in forma pauperis affidavit form for this purpose.

Additionally, the Court directed Plaintiff to affirm her intention to pay the full filing fee by signing and returning a consent to the collection of fees form. The Court warned Plaintiff that a failure to comply with either of the above directives within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Plaintiff has not complied with the orders of this Court. Plaintiff failed to return a completed in forma pauperis affidavit

form and a consent to collection of fees form. As a result, she does not qualify for in forma pauperis status. Furthermore, she has not paid the statutory filing fee for the instant complaint. See 28 U.S.C. § 1914(a). Such actions demonstrate a wilful failure to prosecute. See Fed. R. Civ. P. 41(b). Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

The Clerk is directed to mail a copy of the Memorandum Opinion to Plaintiff.

It is so ORDERED.

_____/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: March 31, 2009